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8 GEORGE BARTZ, a/k/a George
9 D. Bartz,

10 Plaintiff,

11 vs.

12 WASHINGTON STATE DEPARTMENT
13 OF CORRECTIONS, ELDON VAIL,
and BERNIE WARNER,

14 Defendants.

15 NO. CV-08-272-CI

16 ORDER ADOPTING REPORT AND
RECOMMENDATION AND DENYING
PLAINTIFF'S MOTION FOR SUMMARY
JUDGMENT, GRANTING IN PART
DEFENDANTS' MOTION FOR SUMMARY
JUDGMENT; DISMISSING ALL FEDERAL
CLAIMS AND DECLINING SUPPLEMENTAL
JURISDICTION

17 BEFORE THE COURT is Plaintiff's Objection to Report and
18 Recommendation to Deny . . . (ECF No. 107). Plaintiff is a *pro*
19 *se* prisoner at the Airway Heights Correction Center. After review of
20 Mr. Bartz Objections and the file as a whole, for the reasons set
21 forth by the Magistrate Judge, **IT IS ORDERED** the Report and
22 Recommendation (ECF No. 106) is **ADOPTED in its entirety. IT IS**
ORDERED that:

23 1. Defendant's Motion for Summary Judgment, **ECF No. 93**, is
24 **GRANTED** in part;

25 2. Plaintiff's Motion for Summary Judgment, **ECF No. 100**, is
26 **DENIED**;

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28 ORDER ADOPTING REPORT AND RECOMMENDATION - 1

1 3. Plaintiff's § 1983 claim is dismissed for failure to state a
2 claim;

3 4. Plaintiff's Supremacy Clause claim is dismissed for failure
4 to state a claim; and

5 Plaintiff's state law claims are dismissed without prejudice;

IT IS FURTHER ORDERED all pending motions are DENIED as moot.

7 **IT IS SO ORDERED.** The District Court Executive is directed to
8 enter this Order, forward a copy to Plaintiff at his last known
9 address, enter judgment, and **close the file.** The District Court
10 Executive is further directed to forward a copy of this Order to the
11 Office of the Attorney General of Washington, Criminal Justice
12 Division.

DATED this 9th day of April, 2013.

s/Lonny R. Suko

LONNY R. SUKO
UNITED STATES DISTRICT JUDGE